

1                   **BEFORE THE PUBLIC DISCLOSURE COMMISSION**  
2                   **OF THE STATE OF WASHINGTON**

3 IN THE MATTER OF ENFORCEMENT    )  
4 ACTION AGAINST                        )

5 Committee for a Responsible Majority    )

6                   Respondent                        )  
7 \_\_\_\_\_)

PDC CASE NO: 04-383

**FINAL ORDER IMPOSING FINE**

8                   **INTRODUCTION**

9                   The Washington State Public Disclosure Commission (Commission) conducted an  
10 enforcement hearing (adjudicative proceeding) under chapters 34.05 and 42.17 RCW and  
11 chapter 390-37 WAC on May 26, 2004, with respect to the above-captioned matter. The  
12 Commission convened the hearing at the Evergreen Plaza Building, Room 206, 711 Capitol  
13 Way South, in Olympia, Washington. The Staff appeared through Philip E. Stutzman,  
14 Director of Compliance. Washington State Senator Jim Honeyford, chair of Committee for a  
15 Responsible Majority, appeared on behalf of the Respondent.  
16

17                  The Commission was provided a copy of the Report of Investigation dated March 11,  
18 2004, the Notice of Administrative Charges dated March 12, 2004 and a Stipulation of Facts,  
19 Violations and Penalty (Stipulation) of the parties signed April 6, 2004 by the Respondent and  
20 May 26, 2004 by Vicki Rippie, Executive Director of the Public Disclosure Commission. The  
21 Stipulation of Facts, Violations and Penalty is attached, and incorporated by reference into  
22 this Order. After due consideration of the Notice of Administrative Charges, the Stipulation  
23 of Facts, Violations and Penalty, and oral argument by Staff and the Respondent, the  
24 Commission accepted the Stipulation. The Commission therefore makes the following  
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1 findings and enters the following order.

2 **FINDINGS**

3 Based upon the stipulated facts and violations in the Stipulation, the Commission  
4 enters the following findings.  
5

6 1. The Commission finds that the Respondent committed multiple violations of  
7 RCW 42.17.080 and .090 by failing to timely file Monetary Contributions reports (PDC form  
8 C-3) for contributions received between November 1, 2000 and October 28, 2002 and from  
9 December 1, 2002 and November 30, 2003 totaling \$29,285;

10 2. The Commission finds that the Respondent committed multiple violations of  
11 RCW 42.17.080 and .090 by failing to timely file Summary Contribution and Expenditure  
12 Reports (PDC form C-4) disclosing contributions received and expenditures made from  
13 November 1, 2000 through October 28, 2002 and from December 1, 2002 through November  
14 30, 2003, with expenditures totaling \$31,634, including expenditures for contributions to  
15 candidates for public office totaling \$16,625; and  
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17 3. The Commission finds that the Respondent committed multiple violations of  
18 RCW 42.17.105 by failing to timely file Last Minute Contribution Reports disclosing  
19 contributions made totaling \$25,200 and received totaling \$8,900 during 2000 and 2002.  
20

21 **ORDER**

22 The Commission orders as follows:

- 23 1. That the Stipulation of Facts, Violations and Penalty is accepted;  
24 2. That a total civil penalty of \$5,000 is assessed against the Respondent;  
25 3. That \$2,500 of the penalty is suspended on the condition that the Respondent commits  
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1 no further violations of RCW 42.17 for a period of four years from the date of this Order as  
2 determined by the Full Commission.

3  
4 **RECONSIDERATION OF FINAL ORDER - COMMISSION**

5 Any party may ask the Commission to reconsider this final order. Parties must place  
6 their requests for reconsideration in writing, include the specific grounds or reasons for the  
7 request, and deliver the request to the Public Disclosure Commission Office within **Twenty-**  
8 **One (21) business days** of the date that the Commission serves this order upon the party.  
9 Grounds for reconsideration shall be limited to:

- 10 a) A request for review was deemed denied in accordance with WAC 390-37-144(4);  
11 b) New facts or legal authorities that could not have been brought to the commission's  
12 attention with reasonable diligence. If errors of fact are alleged, the requester must  
13 identify the specific evidence in the prior proceeding on which the requester is relying.  
14 If errors of law are alleged, the requester must identify the specific citation; or  
15 c) Significant typographical or ministerial errors in the order.  
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17 Pursuant to RCW 34.05.470, the Public Disclosure Commission is deemed to have denied the  
18 petition for reconsideration if, within twenty (20) business days from the date the petition is  
19 filed, the Commission does not either dispose of the petition or serve the parties with written  
20 notice specifying the date by which it will act on the petition. Pursuant to RCW 34.05.470,  
21 the Respondent is not required to ask the Public Disclosure Commission to reconsider the  
22 final order before seeking judicial review by a superior court.  
23

24 **FURTHER APPEAL RIGHTS – SUPERIOR COURT**

25 Pursuant to RCW 42.17.395(5), a **final order** issued by the Public Disclosure Commission is  
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1 subject to judicial review under the Administrative Procedures Act, chapter 34.05 RCW. The  
2 procedures are provided in RCW 34.05.510 - .598. Pursuant to RCW 34.05.542(2), a petition  
3 for judicial review must be filed with the superior court in Thurston County or the petitioner's  
4 county of residence or principal place of business. The petition for judicial review must be  
5 served on the Public Disclosure Commission and any other parties within **30 days** of the date  
6 that the Public Disclosure Commission serves this final order on the parties.  
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8 If reconsideration is properly sought, the petition for judicial review must be served on  
9 the Public Disclosure Commission and any other parties within thirty (30) days after the  
10 Commission acts on the petition for reconsideration.

11 **ENFORCEMENT OF FINAL ORDERS**

12 The Commission will seek to enforce this final order in superior court under RCW  
13 42.17.395-.397, and recover legal costs and attorney's fees, if the penalty remains unpaid and  
14 no petition for judicial review has been filed under chapter 34.05 RCW. This action will be  
15 taken without further order by the Commission.  
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17 DATED THIS 10th day of June, 2004.

18 FOR THE COMMISSION:

19 /s/ \_\_\_\_\_

20 VICKI RIPPIE, Executive Director

21 *Attachment:* Stipulation of Facts, Violations and Penalty Dated May 26, 2004

22 *MAILING DATE OF THIS ORDER:*

23 6/10/04

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